

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAN G. VERHAAG, SR.,

Plaintiff,

vs.

WINDERMERE REAL ESTATE, et
al.,

Defendants.

NO. CV-09-0374-LRS

ORDER DENYING PLAINTIFF'S MOTION
FOR RECONSIDERATION

On March 11, 2010, the Court entered an Order of Dismissal, Ct. Rec. 9, dismissing Plaintiff's claims without prejudice. On March 19, 2010, Plaintiff filed a Motion For Reconsideration, Ct. Rec. 10, along with "Plaintiff's RICO Case Statement," Ct. Rec. 11. On March 31, 2010, the Court issued its "Order Denying Plaintiff's Motion For Reconsideration," Ct. Rec. 13, indicating that the case remained dismissed without prejudice. On April 9, 2010, Plaintiff filed a second "Plaintiff's Motion for Reconsideration," Ct. Rec. 14, "Plaintiff's Motion for Marshall's Service," Ct. Rec. 17, and Second Amended Complaint," Ct. Rec. 16. Plaintiff states that he has withdrawn his RICO claims and requests the Court to allow him to proceed on the additional claims that were in the Complaint. Ct. Rec. 14. While the Court is sympathetic to Plaintiff's desire to have this

1 Court entertain his second request for reconsideration, the Court
2 cannot do so. The Court previously noted that Plaintiff's non-RICO
3 claims were based upon alleged state law and common law claims, for
4 which this Court has no jurisdiction to proceed.

5 The Court hereby **DENIES** the [second] Plaintiff's Motion for
6 Reconsideration, **Ct. Rec. 14**, filed April 9, 2010 and noted without
7 oral argument on April 14, 2010.

8 **IT IS HEREBY ORDERED:** Plaintiff's action remains **DISMISSED**
9 without prejudice. Plaintiff's Motion for Marshall's Service, **Ct.**
10 **Rec. 17**, is **DENIED as MOOT**.

11 **IT IS SO ORDERED.** The District Court Executive is directed to
12 enter this Order, provide a copy to Plaintiff, and **THIS FILE REMAINS**
13 **CLOSED**.

14 **DATED** this 26th day of April, 2010.

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16 *s/Lonny R. Suko*

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18 LONNY R. SUKO
19 CHIEF UNITED STATES DISTRICT JUDGE
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